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United States District Court
Eastern District of Missouri
Eastern Division

United States of America
Plaintiff

v
James Emmitt Coleman
Defendant.

No. 4:18-CR-00075-CDP

Third Amendment to defendant's pending motion for
Reduction in sentence or compassionate release

Comes now James Emmitt Coleman, defendant, files this third amendment Pro Se to James E. Coleman's Supplemental motion for reduction in sentence or compassionate release to home confinement (Doc. No. 66)

In the interest of brevity and judicial economy, undersigned counsel asks this court to take judicial notice of the earlier filed motion (Doc. No. 60, 66 and 76) and the grounds and arguments cited therein.

Counsel supplements Mr. Coleman's Motion with the following matters:

I. Since filing his pending motion, the bureau of prisons and staff at the medical center for federal prisoners in Springfield, Mo has failed to properly follow CDC guidelines and use proper safety measures in our new found pandemic causing a major outbreak and the medical center for federal prisoners in Springfield, Mo. To date with a population of just 850+ there have been a known 202+ positive test in very little than over 30 day period for covid-19. Causing the federal prison in Springfield to be considered a FBOP hotspot with nearly 25% of the population now battling the covid-19 scarce.

II Facts

Approximately Oct 1, 2020 Staff at the medical center for federal Prisons

in Springfield moved all inmates whom obtained inmate employment at the time of the pandemic into one housing unit building 8. Very soon after 54 inmates in 8 building test positive for covid 19. With another 200 pending cases in the building. The final number totaled 155+ inmate positive cases and twenty staff members. Luckily I Mr. Coleman was moved out of 8 building just two weeks prior. Then with failure to follow any CDC Guidelines or any proper planning and the urgency to help the Federal Bureau of Prisons save on overtime cost due to officers having to do inmate jobs the compound was immediately opened and the inmates whom lived in 9 building were forced to do all the labor duties despite failing to get to the cause of the outbreak and unsafe conditions. Starting with Mr. Coleman and 24 other inmates being forced to work 12 hour ~~hour~~ shifts in food service no days off are receive punishment by going to the S.H.U housing unit, Mr. Coleman completed duties above required standards which resulting in all the officer staff asking that upon re-opening I stay fulltime permanently. Despite the incident in which 10 prior inmate employees tested positive for covid-19 the inmates we forced to work in food services. Then other jobs were filled up. Six days after forcing inmates to work despite ~~the~~ concerns of safety one inmate in 9 building tested positive for covid-19. He was simply removed with no contact tracing done nor testing of others despite failure to mandate mask wearing at the facility also considering the very close living conditions. Five day after that on Oct 27, 2020 one kitchen inmate employee Klopfenstine 22104-045 tested positive after showing symptoms and inmate Tenorio showed symptoms at dialysis treatment then later tested positive before attending his new found employment in the kitchen. All work ceased and inmates in 9 building we tested but then left in close knit living spaces on Oct 28, 2020 Oct 30 forty-seven inmates were removed from the unit after testing positive for covid-19 being left on the unit for almost 72 hours being positive cases with those who arent. Thankfully I Mr. Coleman

results were negative. Same day all 55 remaining inmates were moved upstairs in 9 building which made it more of a task to social distance leaving a empty 407 bunks open on the main level likely to protect officers because now the door is locked to enter this particular floor and inmates were told to report any symptoms. Oct 31 one particular inmate showing signs of great fatigue during a 9 o'clock institution count simply ignored, the Nov 1, 2020 the same inmate was escorted out by medical ~~g~~ wearing heavy protective gear being told his test results just come back and he was positive. This being after inmates were misinformed that all results were back.

III. I the defendant ask the courts to make the correct decision based ~~on~~ upon these new found circumstances in which the spread of covid-19 has become a full blown uncontrolled outbreak at the Federal center. (Medical Center for federal prisoners, Springfield, Mo. UPon making this decision I also ask the courts to take into consideration that defendant has (1) zero criminal violence in background nor violent convictions. Also that upon placement in FBOP custody Mr. Coleman has maintained employment in the unitor program which is also first step act programming the entire time and completed several ace programs and a drug program etc up until transfer to lower level facility and pandemic outbreak. Also the unit manager has filed for Mr. Coleman to go straight to home confinement upon release which is six months away. During transfer I have been fortunate I missed the shut-down in Oklahoma by one day then the spread in 8 building by a few weeks (2 weeks) then now a major spread in 9 building. We dont know how much more lucky I can be besides a immediate release.

Exhibit A Mr Coleman's living quarter with positive test

Back wall (All double bunk beds) sleeps 2 each

	<u>3ft</u>	A. Richardson (02597-025)
D. Cross (46812-074) 256 lower (Positive test 1 of 25 kitchen employees, Dialysis patient)		259 lower (negative test)
James Coleman (47801-044) 255 lower	15ft ↑ ↓	A. Fletcher (14208-025) 258 lower (Positive test also worked in food services with Mr. Coleman Mr. Coleman)
Shaffner (21850-026) 254 Lower (Positive test)		J. Kelly (19450-043) 257 Lower (Positive test)
	<u>3ft</u>	

Walkway
(These living spaces are less than 3 feet apart)

main walkway

James Coleman 47801-044

Medical Center for Federal Prisoners
P.O. Box 4000
Springfield, Missouri 65801-4000

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Energy Awareness



Legal Mail

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111. South 10th Street
St. Louis, Mo 63102

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